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January 11, 2017

File No.
9168.599

Via ECF

Honorable Sidney H. Stein
United States District Court
Southern District of New York
500 Pearl Street, Room 1010
New York, NY 10007

Re: Rodriguez v. It's Just Lunch International, et al.
07-CV-9227 (SHS)(KNF)

Dear Judge Stein:

On behalf of defendants I submit this letter with the consent of plaintiffs' counsel with reference to the *sub judice* motion to approve the class action settlement. As Your Honor will recall, the agreement was structured to ensure that the settlement if approved would not be communicated to the class and vouchers would not be issued during the first 45 days of the calendar year in view of the importance to defendants of the Valentine's Day holiday, which is a very busy time for the defendants as their ability to thrive would be impacted were potential and actual clients to learn that, as part of the settlement, they would be obtaining free dates at that time or in the near future. See agreement para. 3.02, under which class notice is not to be given until February 16, 2015, if the preliminary approval order is issued on or before January 13, 2015. Accordingly, we respectfully request that, if the Court may decide the motion in the near future, and if it grants the motion, it direct that the process of giving the class notice be stayed until February 16, 2017. Thank you for your attention to this matter.

Respectfully,

Peter T. Shapiro

Peter T. Shapiro for
LEWIS BRISBOIS BISGAARD & SMITH LLP

cc: John G. Balestriere, Esq. (via ECF)